

1 **GUTTILLA MURPHY ANDERSON, P.C.**

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8 Attorneys for Chapter Trustee Brian Mullen

9 **UNITED STATES BANKRUPTCY COURT**

10 **DISTRICT OF ARIZONA**

11 In re:

12 JOSEPH CARL MULAC, III AND MARY  
13 ELLEN MULAC,

14 Debtors.

Chapter 7

Case No. 2:20-bk-04173-BKM

**SUPPLEMENT TO MOTION TO  
APPROVE SALE OF REAL PROPERTY  
FREE AND CLEAR OF LIENS**

**Hearing date: October 6, 2020**

**Hearing time: 2:00 p.m.**

**(Re: 2500 Waterside Dr. #206  
Frederick, MD 21701)**

15 Brian Mullen, Chapter 7 Trustee ("Trustee"), by and through undersigned counsel, hereby  
16 files this *Supplement to Motion to Approve Sale of Real Property Free and Clear of Liens*  
17 ("Supplement") to provide additional information to all interested parties.

18 1. On August 25, 2020, the Trustee filed the *Motion to Approve Sale of Real Property*  
19 *Free and Clear of Liens* ("Motion to Approve Sale") requesting an Order authorizing the sale of  
20 the bankruptcy estate's interest in the real property located at 2500 Waterside Dr. #206,  
21 Frederick, MD 21701 ("Property").

22 2. After filing the Motion to Approve Sale, the Trustee was informed that the buyers,  
23 Bruce W. McLaughlin and Emma McLaughlin, nominated McLaughlin Renovations, LLC as the  
24 buyer of the Property ("Buyer"). See General Addendum, Change in Terms Addendum and  
25 General Addendum collective attached hereto as **Exhibit A**.

26 3. Further, the Buyer provided a counteroffer for the purchase price of \$207,000.00,  
27 and Buyer agreed to pay the following fees:



Stephanie Stamper  
Sullivan Select  
[soldbystephaniestamper@gmail.com](mailto:soldbystephaniestamper@gmail.com)  
*Agent for the Trustee*

Pete Martin  
Kim Blackwell  
Advantage Title Company  
[pmartin@advantitle.com](mailto:pmartin@advantitle.com)  
[kblackwell@advantitle.com](mailto:kblackwell@advantitle.com)

McLaughlin Renovations, LLC  
c/o Matthew Klokel  
Redfin Corporation  
[Matthew.klokel@redfin.com](mailto:Matthew.klokel@redfin.com)  
*Agent for the Buyer*

Robert D. Mitchell  
Christopher R. Kaup  
Sarah K. Deutsch  
Zachary R. Cormier  
TIFFANY & BOSCO, P.A.  
[rdm@tblaw.com](mailto:rdm@tblaw.com)  
[crk@tblaw.com](mailto:crk@tblaw.com)  
[skd@tblaw.com](mailto:skd@tblaw.com)  
[zrc@tblaw.com](mailto:zrc@tblaw.com)  
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*Attorneys for CIT Bank, N.A.*

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JANEWAY LAW FIRM, LLC  
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*Attorneys for Lien Holder Nationstar Mortgage LLC d/b/a Mr. Cooper*

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*Attorneys for CSL Riverbend LLC*

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*Attorneys for Darren Lee Sutton and R. Dean Harrell*

1 Tamalyn E. Lewis  
2 ENGELMAN BERGER, P.C.  
3 [tel@eblawyers.com](mailto:tel@eblawyers.com)  
4 *Attorneys for Robert J. Wade and Kathleen R. Wade as Trustees of The Wade Revocable Trust I*

5 **COPY** mailed the same date via U.S. Mail to:

6 Office of the United States Trustee  
7 230 N. First Ave., Suite 204  
8 Phoenix, AZ 85003-1706

9 Carl Joseph Mulac III  
10 Mary Ellen Mulac  
11 4800 N. 68th Street, #371  
12 Scottsdale, AZ 85251  
13 *Debtors*

14 Edward J. Novak Jr.  
15 Jodee K. Novak  
16 46 Wellington Ct.  
17 Yorktown Heights, NY 10598

18 Nationstar Mortgage LLC d/b/a Mr. Cooper  
19 PO Box 60516  
20 City of Industry, CA 91716-0516  
21 *Lien Holder*

22 Bruce W. McLaughlin  
23 Emma McLaughlin  
24 2926 Mill Island Pkwy  
25 Frederick, MD 21701-3240

26 /s/ Monica J. Baca  
27  
28

# EXHIBIT A



## GENERAL ADDENDUM

Special provisions attached to and hereby made a part thereof, the Contract dated August 4, 2020

on Lot \_\_\_\_\_, Block \_\_\_\_\_, Subdivision \_\_\_\_\_,

2500 Waterside Dr Unit 206,

located in Frederick County, Maryland between

(Purchasers) McLaughlin Renovations, LLC

and (Sellers) Brian Mullen, BK Trustee for the estate of Joseph and Mary Mulac.

**Buyer counters with a \$207,000 offer and agrees to pay the following fees:**

**\$400 Lien Search Fee**

**\$250 Title Search Fee**

**\$395 Closing Coordination Fee**

**Brian J. Mullen**

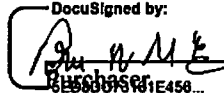
Seller  
Sign ID: Z6FVL2IKL3...

Seller

09/21/2020

Date

DocuSigned by:



**McLaughlin Renovations, LLC**

Purchaser

9/17/2020

Date

FORM #1320

7/05

Matthew Klokel

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Phone: (949)278-3466

Fax:

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Main Document Page 6 of 14

# Signature Certificate

Folder Ref: cd335cd5a4853b1e894773815ca8c3a5d02889e7

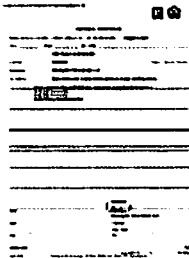


Author: BK Global

Creation Date: 21 Sep 2020, 14:39:55, EDT

Completion Date: 22 Sep 2020, 02:39:24, EDT

## Document Details:



Name: 2500-waterside-drive-unit-206-EXECUTED\_PURCHASE\_CONTRACT\_ADDENDUM-swka4j

Type:

Document Ref: 385fe0e51b3e69791e10028d62ac5661e5a32d0ffec9384c87910f752528a8e0

Document Total 1  
Pages:

## Document Signed By:

Name: Brian Mullen  
Email: bmullen@bktrustee.phxcoxmail.com  
IP: 70.166.115.137  
Location: PHOENIX, AZ (US)  
Date: 22 Sep 2020, 02:39:24, EDT  
Consent: eSignature Consent Accepted  
Security Level: Email, Account Login Password Authentication

Signer ID: Z6FVL2IKL3...

## Document History:

Folder Created	BK Global created this folder on 21 Sep 2020, 14:39:55, EDT
Invitation Sent	Invitation sent to Laura Barton on 21 Sep 2020, 14:41:21, EDT
Invitation Sent	Invitation sent to Brian Mullen on 21 Sep 2020, 14:41:21, EDT
Invitation Accepted	Invitation accepted by Brian Mullen on 22 Sep 2020, 02:31:36, EDT
Signed By Brian Mullen	Brian Mullen signed this folder on 22 Sep 2020, 02:39:24, EDT
Executed	Document(s) successfully executed on 22 Sep 2020, 02:39:24, EDT



### CHANGE IN TERMS ADDENDUM

ADDENDUM dated August 31, 2020 to Contract of Sale  
between Buyer Bruce McLaughlin , Emma McLaughlin  
and Seller Brian Mullen, BK Trustee for the estate of Joseph and Mary Mulac  
for Property known as 2500 Waterside Dr Unit 206, Frederick, MD 21701-3216.

Buyer and Seller acknowledge and agree that the Contract of Sale shall be modified as follows:

Only those Paragraphs initialed by both Buyer and Seller shall be binding on the parties.

1. **PURCHASE PRICE:** The PURCHASE PRICE is changed from \_\_\_\_\_ Dollars (\$ \_\_\_\_\_) to \_\_\_\_\_ Dollars (\$ \_\_\_\_\_).
2. **SETTLEMENT DATE:** The SETTLEMENT DATE is changed from \_\_\_\_\_ to \_\_\_\_\_.
3. **FINANCING CONTINGENCY:** The time frame for obtaining FINANCING is changed from \_\_\_\_\_ to \_\_\_\_\_.
4. **OTHER:** All parties agree that the names of Buyers Bruce and Emma McLaughlin be replaced on the contract of sale with McLaughlin Renovations, LLC

Signer ID: Z6FVL2IKL3...

*All other terms and conditions of the Contract of Sale remain in full force and effect.*

DocuSigned by:  
  
Buyer Signature  
Bruce McLaughlin  
Date  
9/18/2020

Seller Signature  
Brian Mullen, BK Trustee for the estate of Joseph and Mary Mulac  
Date  
09/21/2020

DocuSigned by:  
  
Buyer Signature  
Emma McLaughlin  
Date  
9/18/2020

Seller Signature  
Date



10/19



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# Signature Certificate

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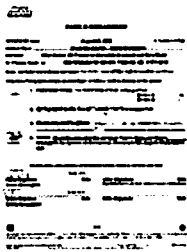


Author: BK Global

Creation Date: 21 Sep 2020, 13:03:35, EDT

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## Document Details:



Name: 2500-waterside-drive-unit-206-EXECUTED\_PURCHASE\_CONTRACT\_ADDENDUM-2jqovy

Type:

Document Ref: a8e0cc3200ef84b369c565c8462d2fbc32beaec9e58b1db5d29e6953800dcb10

Document Total 1  
Pages:

## Document Signed By:

Name: Brian Mullen  
Email: bmullen@bktrustee.phxcoxmail.com  
IP: 70.166.115.137  
Location: PHOENIX, AZ (US)  
Date: 22 Sep 2020, 02:29:46, EDT  
Consent: eSignature Consent Accepted  
Security Level: Email, Account Login Password Authentication

Signer ID: Z6FVL2IKL3...

## Document History:

Folder Created	BK Global created this folder on 21 Sep 2020, 13:03:35, EDT
Invitation Sent	Invitation sent to Laura Barton on 21 Sep 2020, 13:08:46, EDT
Invitation Sent	Invitation sent to Brian Mullen on 21 Sep 2020, 13:08:46, EDT
Invitation Accepted	Invitation accepted by Brian Mullen on 22 Sep 2020, 02:22:01, EDT
Signed By Brian Mullen	Brian Mullen signed this folder on 22 Sep 2020, 02:29:46, EDT
Executed	Document(s) successfully executed on 22 Sep 2020, 02:29:47, EDT



## GENERAL ADDENDUM

Special provisions attached to and hereby made a part thereof, the Contract dated August 12, 2020

on Lot \_\_\_\_\_, Block \_\_\_\_\_, Subdivision \_\_\_\_\_,

2500 Waterside Dr Unit 206, Frederick, MD 21701-3216,

located in Frederick County, Maryland between

(Purchasers) McLaughlin Renovations, LLC

and (Sellers) Brian Mullen, BK Trustee for the estate of Joseph and Mary Mulac.

All parties agree that the name McLaughlin Renovations,  
LLC be replaced on the contract of sale with Bruce W McLaughlin

Brian J Mullen, Trustee  
 Seller

DocuSigned by:

Brian J Mullen  
 Purchaser

Seller

9/30/2020

Date

Purchaser

9/29/2020

Date

FORM #1320

7/05

Matthew Klokel

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# EXHIBIT B

American Land Title Association

ALTA Settlement Statement - Combined  
Adopted 05-01-2015

File No./Escrow No.: AT-88012  
Print Date & Time: 09/30/2020 02:51 PM  
Officer/Escrow Officer:

**Advantage Title Company**  
  
**2037 Liberty Road**  
**Eldersburg, MD 21784**

Settlement Location: 2037 Liberty Road, Eldersburg, MD 21784

Property Address: 2500 Waterside Drive Unit 206, Frederick, MD 21701  
Buyer: Bruce W. McLaughlin  
Seller: Brian J. Mullen, as Trustee for the Bankruptcy Estate of Joseph Carl Mulac, III  
Lender: Intercoastal Mortgage Company

Settlement Date: 11/13/2020  
Disbursement Date: 11/13/2020  
Additional dates per state requirements:

Seller		Description	Borrower/Buyer	
Debit	Credit		Debit	Credit
		<b>Financial</b>		
	\$207,000.00	Sales Price of Property	\$207,000.00	
		Deposit		\$10,300.00
		Loan Amount		\$154,500.00
		<b>Prorations/Adjustments</b>		
		Assessments from 11/13/2020 to 11/30/2020	\$39.60	
		County Taxes from 11/13/2020 to 6/30/2021	\$2,319.32	
	\$39.60	Assessments from 11/13/2020 to 11/30/2020		
	\$2,319.32	County Taxes from 11/13/2020 to 6/30/2021		
		<b>Other Loan Charges</b>		
		Loan Amount (Points)	\$1,545.00	
		Doc Review	\$625.00	
		Processing	\$625.00	
		Appraisal	\$600.00	
		Credit Report	\$51.00	
		Flood Cert	\$14.00	
		Closing Coordination to Ocean Title, LLC	\$395.00	
		Prepaid Interest to Intercoastal Mortgage Company	\$1,031.55	

Seller		Description	Borrower/Buyer	
Debit	Credit		Debit	Credit
		<b>Impounds</b>		
		Homeowner's Insurance 0 mo @ \$ 0.00/mo	\$200.00	
		Property Taxes 0 mo @ \$ 0.00/mo	\$3,304.50	
		<b>Title Charges &amp; Escrow / Settlement Charges</b>		
		Abstract with Advantage Title Company, LLC	\$250.00	
\$850.00		Closing Fee with Advantage Title Company, LLC		
		Closing Prot Ltr with Advantage Title as agent for First Am	\$45.00	
		Courier Fee with Advantage Title Company, LLC	\$50.00	
		Examination Fee with Advantage Title Company, LLC	\$445.00	
		Lender's Policy with Advantage Title as agent for First Am	\$200.00	
		Lien Search with Reliable Lien Search	\$400.00	
		Settlement with Advantage Title Company, LLC	\$150.00	
		Title Search Fee with Advantage Title Company, LLC	\$250.00	
		Owner's Policy with Advantage Title as agent for First Am	\$1,067.00	
		<b>Commission</b>		
\$4,120.00		Real Estate Commission Buyers Broker to Redfin Corporation		
\$8,240.00		Real Estate Commission Sellers Broker to Sullivan Select, LLC		
		<b>Government Recording and Transfer Charges</b>		
\$517.50		State Transfer Tax to Clerk of the Circuit Court	\$517.50	
\$1,449.00		State Recordation Tax to Treasurer of Frederick County, Maryland	\$1,449.00	
		<b>Payoff(s)</b>		
\$181,161.76		Lender: Payoff of First Mortgage Loan to Nationstar Mortgage LLC Principal Balance as of \$181,161.76 Interest on Payoff Loan: 0 days @ \$0.00/day for \$0.00		
		<b>Miscellaneous</b>		
\$100.00		Motion to Sell to Clerk of the Circuit Court		
		Homeowner's Insurance Premium	\$1,200.00	

Seller		Description	Borrower/Buyer	
Debit	Credit		Debit	Credit
\$8,240.00		Bankruptcy Estate Fee to Brian J. Mullen, Trustee		
		Transfer/Set Up Fee to Community Associaton Services	\$75.00	
\$3,680.66		R/E Taxes to Frederick County, MD		
\$1,000.00		HOA/Condo Fee to Worman's Mill		
Seller			Borrower/Buyer	
Debit	Credit		Debit	Credit
\$209,358.92	\$209,358.92	<b>Subtotals</b>	\$223,848.47	\$164,800.00
		Due From Borrower		\$59,048.47
		Due To Seller		
<b>\$209,358.92</b>	<b>\$209,358.92</b>	<b>Totals</b>	<b>\$223,848.47</b>	<b>\$223,848.47</b>

### Acknowledgement

We/I have carefully reviewed the ALTA Settlement Statement and find it to be a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction and further certify that I have received a copy of the ALTA Settlement Statement. We/I authorize Advantage Title Company to cause the funds to be disbursed in accordance with this statement.

\_\_\_\_\_  
Bruce W. McLaughlin

Brian J. Mullen, as Trustee for the Bankruptcy Estate of Joseph Carl Mulac, III

By: \_\_\_\_\_  
Brian J. Mullen, Trustee

\_\_\_\_\_  
Escrow Officer